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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/840,832	07/26/2001	Hideki Harada	2001_0457A	6119

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EXAMINER

CHANG, YEAN HSI

ART UNIT	PAPER NUMBER
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2835

DATE MAILED: 06/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/840,832	HARADA, HIDEKI	
	Examiner Yean-Hsi Chang	Art Unit 2835	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 03 June 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 8-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 8-28 is/are rejected.
- 7) Claim(s) 29 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on 05 May 2003 is: a) approved b) disapproved by the Examiner.
 If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All - b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ . | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 8-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carroll et al. (6,285,757 B1) in view of Smith et al. (US 5,398,991), further in view of SanGiovanni (US 2002/0102946 A1).

Carroll teaches a portable terminal comprising:

- A display unit (10, fig. 2) including a display screen (85, fig. 2) and a protective back case (obvious element of a display unit) (claims 8, 11-12, 19-20 and 25-26)
- A forearm mounting unit (20, fig. 1) for mounting said display unit on a forearm of a user (claim 8)
- Wherein said display further including a wireless module (15, fig. 1) and an antenna (not shown, see col. 3, lines 39-41) (claims 13, 21 and 27)

Carroll fails to teach a hinge case including a first rotary mechanism and a second rotary mechanism.

Smith teaches a hinge case (30, fig. 1) including a first rotary mechanism (26, fig. 5) for rotatably coupling a display unit (22, fig. 5) to a supporting unit (28, fig. 5) so as to allow said display unit to rotate about a first axis (Φ_1 , fig. 5) being sometimes parallel to said display screen, and a second rotary mechanism (24, fig. 5) for rotatably coupling the display unit to the supporting unit so as to allow said display unit to rotate about a second axis (Φ_4 , fig. 5) being always parallel to said display screen, for adjusting the display screen to a convenient position to a user (claims 8-10, 15-18 and 23-24).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Carroll with the hinge case taught by Smith such that the display screen could be positioned for a user's convenience.

Carroll in view of Smith et al. fails to teach the display unit further including a pen input device.

SanGiovanni teaches a display unit (102, fig. 1) including a pen input device (116, fig. 1; also see page 2, paragraph [0020]) (claims 14, 22 and 28).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Carroll modified by Smith with the pen input device taught by SanGiovanni such that no other attached input means will be needed.

Allowable Subject Matter

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3. Claim 29 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. The following is a statement of reasons for the indication of allowable subject matter: The best prior art of record, Carroll et al. (6,285,757 B1), Smith et al. (US 5,398,991), and SanGiovanni (US 2002/0102946 A1), taken alone or in combination, fails to teach or reasonably suggest a portable terminal comprising a hinge case including a second rotary mechanism for rotatably coupling a display unit to a forearm mounting unit, wherein said second rotary mechanism is to allow said display unit to rotate relative to said forearm mounting unit about a second axis being always parallel to a display screen, for 360° as set forth in claim 29.

Response to Arguments

5. Applicant's arguments with respect to claims 8-28 have been considered but are moot in view of the new ground(s) of rejection.

Correspondence

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yean-Hsi Chang whose telephone number is (703) 306-5798. The examiner can normally be reached on 07:30-16:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on (703) 308-4815. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3431 for regular communications and for After Final communications. There are RightFAX numbers and provide the fax sender with an auto-reply fax verifying receipt by the USPTO: Before-Final (703-872-9318) and After-Final (703-872-9319).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 305-8558.

Yean-Hsi Chang
Patent Examiner
Art Unit: 2835
June 16, 2003

